

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY WLB D.C.

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RORY ALLEN GREGORY,

Plaintiff,

vs.

GARY AARON, et al.,

Defendant.

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No. 04-2628 MaV

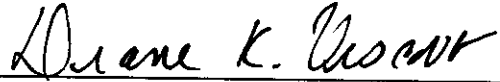
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

ORDER DENYING PLAINTIFF'S MOTION FOR SANCTIONS AGAINST DEFENDANT  
FOR FAILURE TO MAKE DISCLOSURES OR COOPERATE IN DISCOVERY

Before the court is the June 30, 2005 motion of the plaintiff, Rory Gregory, for sanctions against the defendants for failure to make disclosures or cooperate in discovery pursuant to Federal Rule of Civil Procedure 37. The motion has been referred to the United States Magistrate Judge. For the following reasons, the motion is denied.

Gregory has moved for sanctions based on the fact that the defendants have failed to propound answers to his discovery requests within the time provided in the court's March 29, 2005 scheduling order. However, on June 27, 2005, this court entered a protective order, relieving the defendants from the obligation to respond to Gregory's discovery requests until the court has determined whether the defendants assertion of qualified immunity is valid. Accordingly, the present motion denied as moot.

IT IS SO ORDERED this 12th day of July, 2005.

A handwritten signature in black ink, appearing to read "Diane K. Vesco", written over a horizontal line.

DIANE K. VESCOVO

UNITED STATES MAGISTRATE JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 49 in case 2:04-CV-02628 was distributed by fax, mail, or direct printing on July 14, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT